

FILED

JUN 14 2017

U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

NAKIA PHILLIPS,

Defendant.

NO. **4:17CR00273 RLW/DDN**

**INDICTMENT**  
**COUNT I**

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

(a) "minor" to mean any person under the age of eighteen years (18 U.S.C. § 2256(a));

(b) "sexually explicit conduct" to mean actual or simulated

(i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex,

(ii) bestiality,

(iii) masturbation,

(iv) sadistic or masochistic abuse, or

(v) lascivious exhibition of the genitals or pubic area of any person (18

U.S.C. §2256(2)(A)); and

- (c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C.§2256(6));
- (d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--
  - (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or
  - (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. The Defendant has a prior conviction for Statutory Rape Second Degree; Statutory Sodomy Second Degree from St. Louis County, Missouri Circuit Court in cause number 00CR04925.

4. Between on or about August 1, 2016 and on or about September 7, 2016, in the Eastern District of Missouri, and elsewhere,

**NAKIA PHILLIPS,**

the Defendant herein, did knowingly employ, use, persuade, induce, entice, and coerce a minor, S.J., to engage in sexually explicit conduct, specifically, NAKIA PHILLIPS produced images of S.J. in a lascivious display of her genitals, and said sexually explicit conduct was for the purpose of producing a visual depiction of such conduct, to wit: images of S.J. in a lascivious display of her genitals, and such depictions were produced using materials that had been mailed, shipped, or transported in interstate and foreign commerce, i.e., a ZTE Prestige Smart Phone.

In violation of Title 18, United States Code, Section 2251(a) and punishable under Title 18, United States Code, Section 2251(e).

## **COUNT II**

The Grand Jury further charges that:

1. The allegations contained in paragraphs one, two, and three of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about August 1, 2016 and on or about September 7, 2016, in the Eastern District of Missouri, and elsewhere,

### **NAKIA PHILLIPS**

the defendant herein, did knowingly, in or affecting interstate commerce: recruit, entice, harbor, transport, provide, obtain or maintain by any means a person, "S.J."; knowing or in reckless disregard of the fact that such person had not attained the age of 18 years; knowing such person would be caused to engage in a commercial sex act.

In violation of Title 18, United States Code, Section 1591(a)(1) and punishable under Title 18, United States Code, Section 1594(a).

A TRUE BILL.

---

FOREPERSON

CARRIE COSTANTIN  
Acting United States Attorney

---

COLLEEN C. LANG, #56872MO  
Assistant United States Attorney